**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE KURIAN JOSEPH**

**WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928**

**WP(C).No. 23724 of 2005(Y)**
**----------**

**PETITIONER:**
**----------**

**A.SANKARANARAYANAN,**
**S/O.SANKARAN EZHUTHACHAN,**
**ALEECKAL HOUSE,PANAMANNA SOUTH,**
**OTTAPALAM.**

**BY ADV. SRI.E.R.VENKATESWARAN,**
**SRI.R.SREEHARI.**

**RESPONDENTS:**
**----------**

1. **OTTAPALAM CO-OP.URBAN BANK LTD.,**
   **NO.F 1647,OTTAPALAM- 679 101,**
   **REP.BY ITS SECRETARY.**

2. **THE SPECIAL SALES OFFICER FOR**
   **OTTAPALAM CO-OP.URBAN BANK LTD.,**
   **NO.F 1647,OFFICE OF THE ASST.REGISTRAR OF**
   **CO-OP.SOCIETIES (G),OTTAPALAM.**

**BY ADV. SRI.M.V.BOSE,**
**SRI.VINOD MADHAVAN,**
**SMT.NISHA BOSE,**
**GOVT. PLEADER SIR. MANOJ KUMAR.**

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

**W.P.(C). NO.23724/2005:**

**APPENDIX**

**PETITIONER'S EXHIBITS:**

**EXT.P.1: COPY OF THE NOTICE DT. 15/06/05 ISSUED BY THE R.2.**

**EXT.P.2: COPY OF THE REPRESENTATION FILED BEFORE THE R.1. DT. 27/07/2005.**

**EXT.P.3: COPY OF THE NOTICE DT. NIL ISSUED BY THE R.2.**

**//TRUE COPY//**

**prv.**

**KURIAN JOSEPH, J.**

**----------**

**W.P.(C) No.23724 of 2005**

**----------**

**Dated 28th February, 2007.**

**J U D G M E N T**

Petitioner is aggrieved by the recovery steps initiated by the first respondent Bank. Learned counsel for the Bank submits that since the petitioner did not comply with the interim order for payment of Rs.15,000/-, the property was sold on 16.11.2006. In the above circumstances, this writ petition is disposed of making it clear that in case the petitioner is entitled to the benefit of one time settlement scheme, it will be open to the petitioner to approach the Bank itself to clear the dues under the scheme and seek return of the property, since the property was bid in auction by the Bank.

**KURIAN JOSEPH, JUDGE.**

***tgs***

**KURIAN JOSEPH, J**

---

**O.P.No.  of  2002**

---

**J U D G M E N T**

**Dated 28th  February,  2007.**